

OREGON LEGISLATIVE UPDATE – December, 2015

By Jim Straub, ORHA Legislative Director

As we wait for the next Oregon legislative session to begin on February 1, 2016, I can update you on a few items.

We anticipate that a bill requiring mandatory well testing by landlords will be introduced in the 2016 legislative session. You may recall that a similar bill was introduced last legislative session and ORHA opposed it, testifying in state committee that such a bill should have been directed to the landlord-tenant coalition first for consideration there. We expect this proposed bill to require that landlords test all domestic wells serving rental properties for nitrates and bacteria once each year and test at least one time for arsenic. In the interim between the 2015 and 2016 legislative sessions, the landlord-tenant coalition is considering this proposal, and the ORHA Board is currently reviewing it to determine what position we will take in the 2016 legislature. Stay tuned for future Legislative Updates for more information.

I also attended the most recent Housing Choice Advisory Committee meeting and received an update on the Housing Choice Landlord Guarantee Fund (also known as the “Section 8 Landlord Guarantee Fund”). Since the inception of the fund in 2014, landlords have made approximately 50 claims against the Landlord Guarantee Fund, and the fund has paid out an average of \$3,785.88 per claim. One concern of tenant advocates is that many landlords are failing to file a satisfaction of judgment with the court after the landlord has received a payout from the Guarantee Fund. This is an important component of the program, so I would remind all landlords who receive a settlement from the Guarantee Fund to be sure they follow the process through to the end and file the satisfaction of judgment.

Another item that came up in discussion at the Housing Choice Advisory Committee meeting is the fact that, when determining the rent reasonableness standard (or, what rent amount Section 8 will allow for a particular rental,) HUD is using three year old rental market data. This is particularly troublesome now that many housing markets (such as Bend and Portland) have simply outpaced the data that is available to HUD. With market rents increasing in many areas of the state, three year old data doesn't even begin to represent the fair market value in many areas. ORHA would like to provide more recent and reliable data to HUD. Towards that end, ORHA is considering conducting a rental market survey of our ORHA members to assist housing authorities to better assess fair market rent values. Look for more information about this potential ORHA survey in the coming months.